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FAIRFIELD, CT 06824

EXAMINER

GEREZGIHER, YEMANE M

ART UNIT PAPER NUMBER

2144

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/761,040

Applicant(s)

SALMI ET AL.

Examiner

Yemane M. Gerezgiher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The response received on 03/31/2006 has been entered. New claims 24 and 25 are added by the amendment. Thus, Claims 1-25 are now pending in this application.

Response to Arguments

1. Applicant's arguments filed on 03/31/2006 have been fully considered but they are not persuasive.

The inventive entity amend[s] the claims to contain "said last recited user message being the same user message as said first user message" and further argues that Jaisimha does not deal with creating a user message and that Jaisimha does not disclose link in the file is presented in a user interface of a multimedia terminal ["i.e., it is not in the presentation model as recited in the independent claims"]. See Applicant's Remark, Page 11¶2.*

The examiner respectfully disagrees with applicant's contention. The examiner note that applicant's amendment made to the claims, which does not further limit the claimed invention as presented in the last office action.

* 1 **Note:** The examiner noticed that the amendment made to the claims, as been nothing more than rephrasing and referencing what was previously recited "user message" in the claims. However, if further prosecution on the merits of the instant application is pursued, Applicant is strongly encouraged to further incorporate into the independent claim some details or features (if any) of the instant application to make a distinction over the prior art of record. Applicant is further encouraged to point out where in the specifications is found the support for any possible potential amendment that may advance prosecution and distinguish patentably different functional limitation(s) of the instant invention over the prior art of record.

The added non-further limiting language is minimal which adds no characteristic to what was previously recited “user message”, because since the claimed invention and the applied prior art are concerned with the a user message, referencing the same user message is equivalent to the recited portion of Jaisimha, which properly meets the claim as recited [see Jaisimha, Column 9, Lines 56-67]. Furthermore, the user created message is transmitted for display on a mobile playback component [see Jaisimha, Fig. 3]. Jaisimha further disclosed that presentation model SMIL [Standardized Multimedia Integration Language] including a message comprising plurality of components of media objects which are also referenced to by a hyperlinks [Jaisimha, Column 6, Line 66 through Column 7, Line 25].

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

[e] the invention was described in [1] an application for patent, published under section 122[b], by another filed in the United States before the invention by the applicant for patent or [2] a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351[a] shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21[2] of such treaty in the English language.

3. Claims 1-25 are rejected under 35 U.S.C. 102[e] as being anticipated by Jaisimha et al. [U.S. Patent Number 6,487,663] hereinafter Jaisimha.

As per claim 1, A method for presenting information contained in user messages in a user interface of a multimedia terminal [See Figure 3, Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")], in which method the message comprises at least one component [See Column 7, Lines 18-19, Jaisimha disclosed two components image and audio contained with in the message], and which user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message") is transmitted to the multimedia terminal in a multimedia message transmission system, wherein in the method, a presentation model [See Column 7, Lines 1-23] is formed to contain information related to at least one component connected with the user message Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")], that said presentation model is supplemented with a reference to the location of data related to presenting at least one component in said user message , said last recited user message being the same user message as said first user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")], [See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message] and that said presentation model is added to said same user

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message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”), since there is no different messages involved in the claim and/or the teachings of Jaisimha, the user message disclosed is pointing to the said same user message see Column 5, Lines 11-29, Column 6, Line 67 through Column 7, Lines 25].

As per claim 2, the method according to claim 1, wherein said presentation model is set up in the terminal which transmits the message. [See Column 7, Lines 1-23 and Figure 3, Jaisimha taught a multimedia terminal generating the presentation model]

As per claim 3, The method according to claim 1, wherein said multimedia message transmission system comprises a multimedia message service center, in which messages addressed to the multimedia terminal are received to be transmitted further to the multimedia terminal, and that the presentation model is set up in the multimedia message service center. See Figure 3, showing a multimedia server “MMSC” sending multimedia messages to a mobile station and, See Column 7, Lines 1-23 a presentation model of W3C’s used in presenting the multimedia messages at a mobile user terminal]

As per claim 4, the method according to claim 1, wherein said presentation model is formed by using the SMIL format. [See Column 7, Lines 1-23, Jaisimha disclosed a presentation model SMIL]

As per claim 5, the method according to claim 1, wherein said data related to presenting the component comprises said component. [See Column 7, Lines 18-19, Jaisimha disclosed two components image and audio contained with in the message]

As per claim 6, the method according to claim 1, wherein said data related to presenting the component comprises the search address of said component. [See Column 7, Lines 18-19, Jaisimha disclosed a “src” or a source of the components used to search and execute the components contained in the message and See Figure 3, showing a remote search locations for the components to be played or displayed on the mobile terminal]

As per claim 7, The method according to claim 1, wherein the user interface of the terminal for presenting the message comprises at least a display, at least one component comprises visual information, [See Column 7, Lines 18-19, Jaisimha disclosed a visual and audio components contained with in the message] wherein said presentation model is also supplemented with information about placing the component on said display [See Column 7, Lines 1-23, Jaisimha taught SMIL presentation which is used to coordinate placing and playing sequence of components contained in a multimedia message].

As per claim 8, The method according to claim 1, the user interface of the terminal for presenting the message comprises at least audio means at least one component comprises audio information, [See Column 7, Lines 18-19,

Jaisimha disclosed a visual and audio components contained with in the message] wherein said presentation model is also supplemented with data about converting the component into audio information in the audio means. [See Column 7, Lines 1-23, Jaisimha taught SMIL presentation which is used to coordinate placing and playing sequence of components contained in a multimedia message where the components in the message are recognize by a sound controller and converted to audio].

As per claims 9 and 24, The method according to claim 1, said presentation model is also supplemented with information about the time of effect of the component, such as a display time of an image or a text, or a time of repeating a sound. [This limitation is inherent future of the known presentation model SMIL [Synchronized Media Integration Language], according to the specification of SMIL 1.0 published in 1998; W3C defines SMIL as “a markup language designed to present multiple media files together. For instance, instead of using a video with an integrated soundtrack, a separate video and sound file can be used and synchronized via SMIL. This allows users to choose different combinations, e.g., to get a different language sound track, and permits text transcripts to be optionally presented; both options have accessibility benefits.”], SMIL allows integrating a set of independent multimedia objects into a synchronized multimedia.

As per claim 10, the method according to claim 9, the message comprises at least two components, wherein said presentation model is also supplemented with information about the mutual synchronization of the components. [This claim limitation is rejected for the same reason claim 9 is rejected].

As per claim 11, the method according to claim 1, the message comprises at least two pages, wherein said presentation model is supplemented with data about the order of presenting the pages. [See Column 7, Lines 18-19, two different components image and audio components displayed in the user interface of a mobile terminal, See Figures 3-5 and See rejection made to claim 9 above]

As per claim 12, A system for transmitting multimedia user messages [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")], comprising means [See Figure 1, a multimedia server transmitting multimedia components to a multimedia station] for transmitting a user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")] to a multimedia terminal which comprises a user interface [See Figure 3, having therein a graphical user interface to interact with the message] for presenting information contained in the user messages [Column 9, Lines 56-67, Jaisimha disclosed a user creating

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a multimedia video/audio contents/messages ("user message")], and each user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")] contains at least one component, [See Column 7, Lines 18-19, two components image and audio contained with in the message] the system comprises means [MOD] for forming a presentation model [See Column 7, Lines 1-23] in the user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")], the presentation model comprising information related to presenting at least one component in said user message, [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message")] that said presentation model is supplemented with a reference to the location of data related to presenting at least one component in said user message, said last recited user message being the same user message as said first user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message"), See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message] and that said presentation model is added to said same user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages ("user message"), since there is no different messages involved in the claim and/or the teachings of Jaisimha, the user message disclosed is pointing to the said same user message] wherein the system

comprises means for attaching said presentation model in said same user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”) and See Column 5, Lines 11-29, Column 6, Line 67 through Column 7, Lines 25].

[Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”) and See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message] wherein the system comprises means [COMP] for attaching said presentation model in said same user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”) and See Column 5, Lines 11-29, Column 6, Line 67 through Column 7, Lines 25].

As per claim 13, the system for transmitting multimedia messages according to claim 12, the terminal which transmits the message comprises means [COMP] to set up the presentation model. [See Figure 3-5 and Column 7, Lines 1-23, Jaisimha disclosed a mobile station generating and setting the presentation model]

As per claim 14, The system for transmitting multimedia messages according to claim 12, it comprises a multimedia message service center which comprises means [MEM] for receiving messages addressed to the multimedia terminal, means [MSG] for transmitting the messages further to the multimedia

terminal, and means [COMP] for setting up a presentation model. [See Figure 3-5 and Column 7, Lines 1-23, Jaisimha disclosed a mobile station generating and setting the presentation model].

As per claim 15, the system for transmitting multimedia messages according to claim 12, said presentation model is formed by using the SMIL format. [See Column 7, Lines 1-23, SMIL is used to present media components in a multimedia terminal]

As per claim 16, The system for transmitting multimedia messages according to claim 12, in which the user interface of the terminal presenting the message comprises at least a display, at least one component comprises visual information, wherein said presentation model is also supplemented with data about placing the component on said display. [This claim limitation is rejected for the same reason claim 3 is rejected above]

As per claim 17, The system for transmitting multimedia messages according to claim 12, in which the user interface of the terminal presenting the message comprises at least audio means, at least one component comprises audio information, wherein said presentation model is also supplemented with data about converting the component into audio information in audio means. [This claim limitation is rejected for the same reason claim 8 is rejected above].

As per claims 18 and 25, The system for transmitting multimedia messages according to claim 12, said presentation model is also supplemented with information about the time of effect of the component, such as the time of displaying an image or a text, or the time of repeating a sound. [This claim limitation is rejected for the same reason claim 9 is rejected above]

As per claims 19 and 20 are rejected for the same reason claim 9 is rejected above.

As per claim 21, A transmitting multimedia terminal which comprises means for forming user messages [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)] of at least one component, and means [RF] for transmitting the user messages [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)], the multimedia terminal also comprises means [MOD] for forming a presentation model in the user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)], [See Column 7, Lines 1-19, two components image and audio contained with in the message represented using a formed presentation language SMIL] which presentation model comprises information related to presenting at least one component added in the user message, [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)], [See

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Column 7, Lines 18-19, components added] and which presentation model is supplemented with a reference to the location of information related to presenting at least one component in said user message[Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)]. [See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message] said last recited user message being the same user message as said first user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”), See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message] and that said presentation model is added to said same user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”), since there is no different messages involved in the claim and/or the teachings of Jaisimha, the user message disclosed is pointing to the said same user message] wherein the terminal comprises means for attaching said presentation model in said same user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”) and See Column 5, Lines 11-29, Column 6, Line 67 through Column 7, Lines 25].

As per claim 22, A receiving multimedia terminal which comprises means [RF] for receiving user messages [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user

message”]], and a user interface for presenting information contained in the user messages [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)], [See Figure 3, showing a transmission means and a multimedia station having therein an interface for displaying the transmitted message] and each user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)] contains at least one component, [See Column 7, Lines 1-19, two components image and audio contained within the message represented using a formatted presentation language SMIL] the multimedia terminal also comprises means [MOD] for interpreting a presentation model formed in a user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”)], which presentation model comprises information related to presenting at least one component, and which presentation model is supplemented with a reference to the location of information related to presenting at least one component in said user message, said last recited user message being the same user message as said first user message [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”) and See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message] wherein the multimedia terminal comprises means for finding out said presentation model from said user message. Since there is no

different messages involved in the claim and/or the teachings of Jaisimha, the user message disclosed is pointing to the said same user message] [Column 9, Lines 56-67, Jaisimha disclosed a user creating a multimedia video/audio contents/messages (“user message”) and see Figure 3 and Column 7, Lines 18-19, Jaisimha disclosed a multimedia terminal, locating the multimedia components within the message].

As per claim 23, the multimedia terminal according to claim 21, it is a mobile terminal. [See Figures 3-5, a mobile terminal displaying a multimedia message].

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

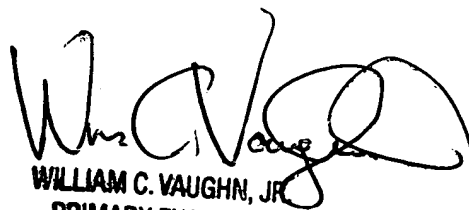
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M. Gerezgiher whose telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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